

OFFICIAL WARNING



VIOLATION OF FEDERAL REGULATIONS

CASE NO.

IN **11003**

VIOLATOR

**Customer # 31333
Certificate # 32-A-0253
Kathryn & Vernon Lambright
Clearspring Kennels**

ADDRESS (Street, City, State, Zip Code)

**5285 South 250 West
Wolcottville, IN 46795**

The Department of Agriculture has evidence that on or about **November 29, 2010 - November 19, 2010 - October 6, 2010** you or your organization committed the following violation of Federal Regulations:

9 CFR, SECTION

Failure to

2.50 (a)(2)

- Identify all live dogs and cats, and live puppies or kittens less than 16 weeks of age by: an official tag, distinctive and legible tattoo marking approved by the Administrator or plastic-type collar acceptable by the Administrator.

(Two pens of weaned puppies were not identified with an acceptable tag, tattoo or collar.)

3.6 (a)(2)(i)

- Construct and maintain primary enclosures so they have no sharp points or edges that could injure dogs.

(The outside door for one of the small dog enclosures is broken with a bent wire along the door edge.)

3.10

- Keep water receptacles clean and sanitized in accordance with Sec. 3.11(b).

(The water buckets for two pens, one housing three large dogs and one housing two large dogs are dirty and grimy. The first and second outside shelter housing enclosures have water buckets that are chewed and dirty. Three puppies housed in the food storage area have a water bowl that is chewed and dirty.)

2.40 (b)(3)

- Conduct daily observation of all animals to assess their health and well-being.

(A poodle with a litter of puppies is extremely thin. The diet is supplemented with table scraps but she remains thin.

Dog with USDA tag # 133 has severe dental problems including a mass accumulation of calculus build up and puss along the gum line. In addition, the animal had excessively long nails.)

3.6 (a)

- Design and construct primary enclosure of suitable materials so they are structurally sound. Maintain primary enclosure so no sharp points or edges could injure the dogs and cats, and protects them from injury.

3.6 (a) cont.

(The majority of enclosures in the facility have bent wire, holes, and sharp edges at the bottom, sides and front of the cages. In addition, the 6th pen on the east side of the Large Breed Kennel had a broken board with nails protruding out.

There was a feeder, smaller than the hole in the front of the 6th enclosure on the top of the north side of the Sundowner Building leaving a large gap in the enclosure. The gap in the enclosure was big enough for a puppy's head and the adult's feet to pass through.

The support for two doors making a partial roof over the shelter for the three dogs housed outside is broken with sharp pieces of wood sticking down into the primary enclosure.

The second enclosure from the end on the outside portion of the large breed dogs on the right side has a large section of metal hanging loose from the corner edge of the building.)

3.6 (c)(1)(iii)

- Construct the height of a primary enclosure interior at least 6 inches higher than the head of the tallest dog in the enclosure when it is in a normal standing position.

(A labradoodle, not tagged, housed in the whelping building in the 6th cage on the bottom is housed in an enclosure with a ceiling only an inch above the puppy's head.)

3.11 (a)

- Remove excreta and food waste from primary enclosures daily, and clean as often as necessary under primary enclosures to prevent excessive accumulation of feces and food waste, prevent soiling of the dogs and cats contained in the primary enclosures, to reduce disease hazards, insects, pests and odors.

(In multiple locations of the facility, the floors, walls and doors of the primary enclosures had an accumulation of excreta, grime and excessive build up of organic material. All wash downs under the enclosures had a build up of excreta, grime and organic material. The water supply lines are grimy and dirty above the dog's sipper tubes.)

Titles 7 & 9 Code of Federal Regulations were promulgated to help prevent the spread of animal and plant pests and diseases and assure the humane treatment of animals. Since violations of the regulations can have serious and costly impact detrimental to the public interest, you are warned of this violation. Any further violation of these regulations may result in the assessment of a civil penalty or criminal prosecution. If you have any questions concerning this warning or violation, please contact the listed APHIS Official.

APHIS OFFICIAL (Name and Title)

SV Elizabeth Goldentyer, DVM

Regional Director

SIGNATURE

Michael J. Smith

DATE ISSUED

12-15-10

FOR PERSONAL SERVICE - RECEIVED BY: (Name and signature)

OFFICE ADDRESS:

920 Main Campus Dr., Suite 200

Raleigh, NC 27606

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DATE RECEIVED:

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(JUN 91)

PART 1 - VIOLATOR